

6-1-87
12.3.8 v.4



U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

JUN 01 1987

RECEIVED

JUN 3 1987

JOHN L. MARTIN

REPLY TO
ATTN OF: HW-113

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Lone Star Industries, Inc.
One Greenwich Plaza
Greenwich, Connecticut 06830

Dear Sir or Madam:

Under a Cooperative Agreement with the Environmental Protection Agency (EPA), the Washington Department of Ecology (Ecology) compiled a preliminary assessment (PA) for a former Reichhold facility site located at 5900 West Marginal Way, along the Duwamish River. After the Reichhold facility closed Kaiser Cement purchased the property. Kaiser has advised EPA that they in turn, sold the property to Lone Star Industries. In order for EPA to complete its evaluation of the PA, information is required from Lone Star Industries as the current owner of the property.

Under the provisions of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9604, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), and Section 3007 of the Resource Conservation and Recovery Act, 42 U.S.C. 6927, as amended by the Solid Waste Disposal Act Amendments of 1980 (RCRA), the Administrator of the U.S. EPA has the authority to require any person who generates, stores, treats, transports, disposes of or otherwise handles or has handled hazardous wastes and substances to furnish information related to such wastes and substances. Pursuant to these statutory provisions, you are hereby requested to respond to the following items:

1. Does Lone Star Industries have any information or records relating to use(s) of the above referenced property prior to Lone Star's acquisition?
2. If information is known about prior use, please address the following:
 - a. What are the generic names and chemical character of the hazardous substances, as defined under Section 1004(s) of RCRA and Section 101(14) of CERCLA, that were generated, stored, treated, transported, disposed, or otherwise handled at the West Marginal Way site?
 - b. For each hazardous substance identified above, please describe how the substance was handled, when, and the total quantity in weight or volume (estimate if quantity not available).

AGC2E000211

USEPA SF



1261253

- c. Where was this material stored, and where was it disposed? Where were or are waste treatment ponds and settling lagoons located on-site? After closure of the facility, were sludges from the ponds and/or lagoons removed?
 - d. What arrangements (if any) were made to transport the hazardous substances away from the site? Who was the transporter of the hazardous substances, and what is his current/previous address?
 - e. Provide all information you have regarding spills of hazardous substances on or around the site. This should include the generic name and chemical constituents of the material(s) spilled, the quantity of material spilled, clean-up measures taken, the cause of the spill and any other related information.
3. Upon acquisition of the property, what physical changes were made? For example, were waste treatment ponds and/or settling lagoons paved over, and, if so, were sludges removed prior to paving?
 4. Describe all environmental investigations that have taken place on or around the property/facility. This includes investigations of the physical and chemical characteristics of soil, surface water, sediments, air, and groundwater. This also includes historical evaluations of potential/known contamination. Provide all relevant information including, but not limited to study design, workplans, quality assurance procedures, sampling procedures, well logs, study results, and data analyses.
 5. Provide all information on all known wells on-site including the number, associated well logs, date of installation, purpose of installation, and all uses of the well.

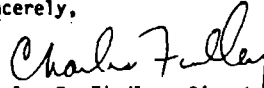
EPA regulations governing the confidentiality of business information are set forth in Part 2, Subpart B, of Title 40 of the Code of Federal Regulations, 41 Federal Register 36902-36924 (September 1, 1976), as amended by 43 FR 39997 (September 8, 1978), 44 FR 17673 (March 23, 1979), 48 FR 11270 (March 17, 1983) and 50 Federal Register 61661 (December 18, 1985). For any portion of the information submitted which is entitled to confidential treatment, please assert a confidentiality claim in accordance with 40 CFR §2.203(b). You must meet each test set forth in Section 104(e)(7)(E) of CERCLA, 42 U.S.C. 9604(e)(7)(E) in order to claim that information is entitled to confidential treatment. If EPA determines that the information so claimed meets criteria set forth in 40 CFR §2.200, the information will be disclosed only to the extent, and by means of the procedures, specified in 40 CFR Part 2, Subpart B. EPA will construe failure to furnish a confidentiality claim with your response to this letter as waiver of the claim, and information may be made available to the public by EPA without further notice.

This information must be provided in writing to EPA no later than thirty (30) calendar days after your receipt of this letter. If you are unable to provide the information requested within the timeframe specified, please state both why the information cannot be provided as well as what efforts have been made to gather the information. If you refuse to provide the information requested, please so state, and state the factual and legal basis for such refusal, in your written response.

Under Section 3008 of RCRA, 42 USC 6928, failure to comply with this request may result in an order requiring compliance or a civil action for appropriate relief. Section 3008 of RCRA also provides for civil penalties.

Your written response should be sent to Deborah Flood, Superfund Program Management Section, M/S HW-113, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101. If you have any questions regarding this matter, please contact Ms. Flood at (206) 442-2722.

Sincerely,



Charles E. Findley, Director
Hazardous Waste Division